

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
ON THE ATTACHED EXHIBIT(S)

ORDER

(Dismissing Ethicon defendants with Prejudice
and possible transfer of case(s))

Pending in MDL 2327, 2:12-md-2327 [ECF No. 7789] is a Joint Motion to Dismiss Defendants with Prejudice filed by plaintiff(s), identified in Exhibit(s) A, and Johnson & Johnson, Ethicon, Inc. and/or Ethicon LLC (collectively referred to as “Ethicon”). The Motion seeks an order (1) granting dismissal of the Ethicon defendants in these actions(s) with prejudice.

For any case(s) on the attached exhibit(s) that was subject to the Pretrial Order (Docket Control Order) entered on January 30, 2018, as amended on June 13, 2018 (hereinafter collectively referred to as the “Omnibus PTO”) and is being transferred by this order to C. R. Bard, Inc. MDL 2187, American Medical Systems, Inc. MDL 2325, Boston Scientific Corporation MDL 2326 or Ethicon, Inc. MDL 2327, the court will no longer direct the Clerk to file in each individual case, the Omnibus PTO that corresponds to the MDL in which the case is being transferred.¹ Because all deadlines in the Omnibus PTO were the same across the MDLs cited above and all deadlines have since passed, the court finds it unnecessary to docket the corresponding Omnibus PTO for the MDL to which the case is being transferred. Any remaining provisions of the Omnibus PTO continue to apply.

The court **ORDERS** that:

¹ The Docket Control Orders entered in MDL 2187 – Wave 7, MDL 2325 – Wave 3, MDL 2326 – Wave 4 and MDL 2327 – Wave 8, on January 30, 2018 (as amended on June 13, 2018), set identical discovery dates, and pretrial motion dates. The Docket Control Orders were identical except for the necessary changes to make it applicable to each MDL.

- (1) the Motion to Dismiss with Prejudice is **GRANTED**;
- (2) the Ethicon defendants are **DISMISSED WITH PREJUDICE** from the action(s) listed on the attached Exhibit(s) A;
- (3) if there are no remaining defendants in a civil action, then (a) that civil action is dismissed and stricken from the docket and (b) any pending motions are **DENIED** as moot; and,
- (4) if other defendants remain in a civil action, then those actions are **TRANSFERRED** to the next named MDL defendant listed on the docket sheet of the individual civil action(s).

The court **DIRECTS** the Clerk to:

- (1) dismiss the Ethicon defendants from the individual civil action(s) with prejudice;
- (2) if no other defendants remain in an individual action, then (a) strike the action from the docket, and (b) close the case;
- (3) if there are remaining defendants in an individual action, then (a) transfer the case to the next named MDL defendant listed on the docket sheet of the individual civil action(s), and (b) if the case has a Wave flag set from the Omnibus Order, then change the Wave flag to the appropriate Wave flag if necessary;
- (4) file a copy of this Order in MDL 2327 and in each individual case on the attached Exhibit(s); and,
- (5) send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 23, 2019

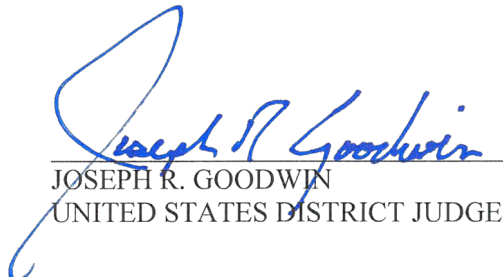

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

Civil Action No.	Case Style
2:16-cv-02931	Judith Berry v. Ethicon, Inc.; Johnson & Johnson; Mentor Worldwide, LLC; Coloplast Corp.
2:14-cv-22137	Lorraine Bickford and Roger Bickford v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-09702	Cynthia Brantley and Charles Brantley v. Ethicon, Inc.; Johnson & Johnson; Coloplast Corp.
2:16-cv-04095	Doris Clements v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-15403	Lydia Furtak and Lydia Furtak v. Ethicon, Inc.; Ethicon, LLC; Johnson & Johnson; Coloplast Corp.
2:15-cv-10080	Susan Graff Stephen L. Graff v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-11622	Daphene Howell v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-22703	Maryjane McCormack v. Ethicon, Inc.; Johnson & Johnson; Coloplast Corp.
2:14-cv-22704	Belinda McCrory and William McCrory v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-00635	Marlene Sue Nalley v. Ethicon, Inc.; Johnson & Johnson; Coloplast Corp.
2:15-cv-10105	Carolyn Roth v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-22465	Mary Lou Saavedra and Felix Saavedra v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-22504	Dianne Sonnino-Cray v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-02919	Phyllis Dashefsky v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-22502	Pamela Salvato v. Ethicon, Inc.; Johnson & Johnson; Mentor Worldwide, LLC